

Remarks/Arguments

Claims 1-14 presently pending in this application stand rejected. Applicants have amended claims 1, 11 and 13 to better distinguish applicants' invention from the art of record. Ample antecedent basis exists in the specification for the claim amendments.

Before proceeding to address the examiner's rejections, applicants will briefly summarize their invention to assist the examiner in better appreciating the differences between applicants' invention and the art of record. As recited in amended claim 1, applicants provide a method for producing a show live in real time for at least one of transmission and recording in a production environment having at least one processing unit in communications with a plurality of production devices. The method commences upon the receipt of a show rundown comprising a plurality of story files. The show rundown undergoes conversion into broadcast instructions that, when executed, enable the transmission of commands to control a plurality of production devices to thereby produce the show live in real time for at least one of transmission and recording. The plurality of production devices includes a plurality of a camera, a robotic pan/tilt head, an audio mixer device, teleprompting means, and a special effects device.

35 U.S.C. 102(e) Rejection of Claims 1, 2, 11, and 13

Claims 1, 2, 11, and 13 stand rejected under 35 U.S.C. 102(b) as anticipated by U.S. Patent 5,795,228, issued August 18, 1998, in the name of Douglas Trumbull et al. Applicants respectfully traverse the rejection.

The Trumbull patent concerns an interactive-computer based system that interacts with a user to present audio video and/of computer-generated images responsive to user input signals. A user interface receives signals from the user that specifying selected content, i.e., selected audio, video and/or computer images desired by the user. For example, the user enters input signals to interact with ongoing entertainment. One or more of the input signals generated by the user allow a database to identify the user and to retrieve an associated profile for that user. In accordance with the profile, an activity server generates a set of show control signals that designated audio, video and or computer-generated graphical images that reflect the user's desired interaction with the entertainment presented to the user.

As now amended, applicants claims 1, 11, and 13 now recited the feature of

converting said show rundown into broadcast instructions that, when executed, enable the transmitting of commands to control the plurality of production devices to thereby produce the show live in real time for at least one of transmission and recording, wherein said transmitting includes transmitting commands to a plurality of a camera, a robotic pan/tilt head, an audio mixer device, a graphics device, teleprompting means, and a special effects device

Applicants respectfully submit that Trumbull et al does not teach this feature.

In support of the rejection of claims 1, 2, 11, and 13, the examiner's relies on the disclosure at Col. 13, lines 19-21 of Trumbull et al. patent to assert that the patent teaches a conversion of the show run down to broadcast instructions to produce a show. However, Trumbull et al does not convert the show rundown into broadcast instructions to control a plurality of production devices to produce a show live in real time for at least one of transmission and recording. At best, Trumbull et al. converts show rundown into content signals for configuration into a template that specifies video, audio and/or computer graphic images for insertion into a show. The content signals of Trumbull et al. describe pre-existing content (see claim 9 of Trumbull et al for a characterization of the content signals.). Such content signals do not constitute "broadcast instructions" that undergo execution to **control production devices**, to produce the show live in real time for at least one of transmission and recording. Indeed, Trumbull et al. say nothing regarding the control of equipment to accomplish live production. Rather, Trumbull et al. teaches the editing of pre-existing content to yield a customized presentation, an entirely different proposition from applicants' claimed invention.

In the absence of any teaching in Trumbull et al. of converting a show rundown into broadcast instructions to produce a show live in real time for at least one of transmission and recording, applicants claims 1, 2, 11 and 13 patentably distinguish over this patent.

Applicants respectfully request withdrawal of the 35 U.S.C. 102(b) rejection of these claims.

35 U.S.C. 103(a) Rejection of Claims 3-6, 8-12 and 14

Claims 3-6, 8-12 and 14 stand rejected under 35 U.S.C. 103(a) as obvious over the Trumbull et al. patent, in view of U.S. Patent 6,437,802, issued August 20, 2002 from an application filed July 14, 1999, in the name of Kevin Kenny. Applicants respectfully traverse this rejection.

Applicants have discussed the Trumbull et al. patent will not repeat that discussion here for the sake of brevity. For purposes of the instant rejection, applicants reiterate that

Trumbull et al. does not convert a show rundown into broadcast instructions to produce a show live in real time for at least one of transmission and recording.

The Kenny patent concerns a technique for throttling commands in a broadcast automation system by interleaving play list loads and edit commands. In this way, devices within the system can receive an incomplete schedule that the devices can immediately execute. As later events undergo processing, the devices can execute such events as they undergo processing.

Claims 3, 12, and 14 depend from claims 1, 11, and 13, respectively, and recite the additional feature of monitoring for inter-file activity and synchronizing the show rundown with the broadcast instructions. In rejecting claims 3, 12 and 14, the examiner contends that the Trumbull et al. patent discloses all of the features of claims 1, 11, and 13, but does not teach monitoring and synchronizing of inter-file activity. The examiner relies on the Kenny patent to teach the monitoring of inter-file activity and the synchronization of the show rundown with the broadcast instructions.

Applicants take issue with the examiner's rejection. Applicants acknowledge the disclosure in the Kenny patent at Col. 4, lines 6-7 concerning the monitoring of incoming commands, as well as editing of such commands and updating the priority list as discussed at Col. 4, lines 10-12. The updating performed by Kenny does not constitute synchronizing of the show rundown with broadcast instructions to produce a show live in real time for at least one of transmission and recording. In the absence of any teaching in either the Trumbull et al. or the Kenny patents regarding synchronization of the show rundown with the broadcast instructions to produce a show live in real time for at least one of transmission and recording, the examiner's proposed combination of these patents would not render obvious claims 3, 12, and 14.

Claims 4-6 and 8 further depend from claim 3 and thus patentably distinguish over the art of record for the same reasons as advanced above for the allowability of claim 3. Applicants respectfully request withdrawal of the 35 U.S.C. 103(a) rejection of claims 4-6 and 8.

35 U.S.C. 103(a) Rejection of Claims 7 and 9

Claims 7 and 9 stand rejected under 35 U.S.C. 103(a) as obvious over Trumbull et al., in view of Kenny, further in view of U.S. Patent 6,441,832, issued August 27, 2002, from an

application filed November 26, 1997, in the name of Akihiko Tao et al. Applicants respectfully traverse the rejection.

Applicants have discussed the Trumbull et al. and Kenny patents, and will not repeat that discussion here. For purpose of the present rejection, applicants reiterate that the combination of Trumbull et al. and Kenny do not teach or suggest the feature converting a show rundown into broadcast instructions to produce a show live in real time for at least one of transmission and recording. Further, the combination of Trumbull et al. and Kenny does not teach or suggest synchronizing the show rundown with the broadcast instructions to produce the live show.

The Tao et al. patent teaches a hierarchical processing apparatus for video and audio for editing a play list. A display device displays the first and second play list hierarchies to allow interaction between the play lists.

Applicants' claim 7 depends from claim 3 and further includes the feature of adjusting un-executed broadcast instructions such that the total execution time does not exceed a predetermined time. In rejecting claim 7, the examiner contends that the Trumbull et al. and Kenny patents teach all of the features of claim 7, except the feature of adjusting the broadcast instructions. For that teaching, the examiner relies on the Tao et al. patent. The examiner maintains that the browse feature of Tao et al., which outputs a selected play list for a predetermined time, constitutes the same feature as recited in claim 7.

Applicants take issue with the examiner's rejection of claim 7 for several reasons. First, the combination of Trumbull et al. and Kenny does not teach synchronizing the show rundown with the broadcast instructions to produce a show live in real time for at least one of transmission and recording. Since the examiner has not cited Tao for such a teaching, the combination of Trumbull et al., Kenny and Tao would not teach the synchronization of the show rundown with the broadcast instructions recited in claim 3, and incorporated by reference in claim 7.

Assuming arguendo that Trumbull et al. and Kenny teach the synchronization of the show rundown with the broadcast instructions, applicants maintain that the Tao et al. patent does not teach or suggest applicants' feature of adjusting the unexecuted broadcast instructions such that the total execution time does not exceed a predetermined time. At best, Tao et al. teach the desirability of enabling a user to output a play list for a selected time. However, the Tao et al. patent contains no disclosure about making any modifications or adjustments to the play list so that the unexecuted portions will execute in a reduced time such that the total execution time does not exceed a predetermined time.

The examiner's suggestion that execution of the "browse" function in Tao et al. constitutes the same operation as applicants' step of adjusting said unexecuted broadcast instructions to limit the total execution time lacks merit. Simply withholding execution of the broadcast instructions as taught by Tao et al. does not suggest adjusting their duration as recited in claim 7. Absent any disclosure that executing the browse function of Tao et al. will reduce the execution time of the un-executed the play list, the Tao et al. patent, when combined with Trumbull et al. and Kenny, would not teach all the features recited in applicants' claim 7. Applicants respectfully request withdrawal of the 35 U.S.C. 103(a) rejection of this claim.

Claim 9 depends from claim 1 and further recites the feature of associating broadcast element files with each story file to link a group of production devices to each story file. As discussed previously, the Trumbull et al. patent fails to teach or suggest the feature converting a show rundown into broadcast instructions to produce a show live in real time for at least one of transmission and recording. Likewise, the Kenny and Tao et al. patents also fail to teach this feature. Since the combination of the Trumbull et al. and Tao et al. patents fail to teach all of the features of claim 1, the claim 9, which incorporates by reference the features of claim 1, patentably distinguishes over the art of record, and applicants respectfully request withdrawal of the rejection of claim 9.

35 U.S.C. 103(a) Rejection of Claim 10

Claim 10 stands Rejected under 35 U.S.C. 103(a) as obvious over the Trumbull et al. patent, in view of the Tao et al. patent, further in view of U.S. Patent 5,450,140, issued September 12, 1995, in the name of Kenya Washino. Applicants respectfully traverse this rejection.

Applicants have discussed the Trumbull et al. and Tao et al. patents and will not repeat that discussion here. For purposes of this rejection, applicants reiterate that neither Trumbull et al. nor Tao et al. teach the feature of converting a show rundown into broadcast instructions to produce a show live in real time for at least one of transmission and recording as recited in claim 1 and incorporated by reference in claim 10.

The Washino patent concerns a multimedia video production system that makes use of custom adapters interface each of a plurality of cameras to an interface for connection to commercial switching equipment. The interface includes a personal computer that allows an

operator to select and position one or more of the cameras via control related icons on a screen.

Claim 10 depends from claim 9 and incorporates the feature of populating an instruction sheet with icons. The icons when activated, execute corresponding broadcast instructions that control the plurality of production devices. In rejecting claim 10, the examiner contends that the Trumbull et al. and Tao et al. patents, in combination, teach all of the features of claim 9, and that the Washino teaches the use of icons for control purposes.

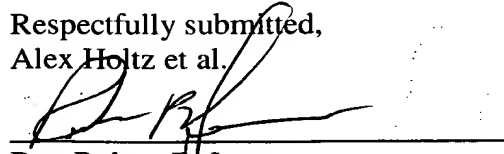
Applicants' take issue with the rejection. Claim 10 ultimately depends from claim 1 and incorporates by reference the feature of converting a show rundown into broadcast instructions to produce a show live in real time for at least one of transmission and recording. None of the Trumbull et al., Tao et al. or Washino patents alone, or in any combination with each other, discloses or suggests such a feature. In the absence of any disclosure of the feature of converting a show rundown into broadcast instructions to produce a show live in real time for at least one of transmission and recording, claim 10 patentably distinguishes over the art of record.

Conclusion

In view of the foregoing remarks, applicants respectfully solicit entry of this amendment and reconsideration of the rejection. If, however, the Examiner is believes that such action cannot be taken, the examiner is invited to contact the applicant's attorney at (609) 734-6820 to arrange for a mutually convenient date and time for a telephonic interview.

No fee is believed due. However, if a fee is due, please charge the additional fee to Deposit Account **07-0832**.

Respectfully submitted,
Alex Holtz et al.



By: Robert B. Levy
Reg. No. 28,234
Phone (609) 734-6820

Patent Operations
Thomson Licensing Inc.
2 Independence Boulevard - Suite 2
Princeton, New Jersey 08540
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